

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 34566

STATE OF IDAHO,	)	2008 Unpublished Opinion No. 412
	)	
Plaintiff-Respondent,	)	Filed: March 26, 2008
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
CHRISTOPHER AMPARAN,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

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Appeal from the District Court of the First Judicial District, State of Idaho, Bonner County. Hon. Steven C. Verby, District Judge.

Order denying I.C.R. 35 motion for reduction of sentence, affirmed.

Molly J. Huskey, State Appellate Public Defender; Elizabeth A. Allred, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

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PER CURIAM

Christopher Amparan pled guilty to manufacture of marijuana. I.C. § 37-2732(a)(1)(B). In exchange for his guilty plea, an additional charge for felon in possession of a firearm was dismissed. The district court sentenced Amparan to a unified term of five years, with a minimum period of confinement of one and one-half years. Amparan filed an I.C.R. 35 motion, which the district court denied. Amparan appeals.

A motion for reduction of sentence under I.C.R. 35 is essentially a plea for leniency, addressed to the sound discretion of the court. *State v. Knighton*, 143 Idaho 318, 319, 144 P.3d 23, 24 (2006); *State v. Allbee*, 115 Idaho 845, 846, 771 P.2d 66, 67 (Ct. App. 1989). In presenting a Rule 35 motion, the defendant must show that the sentence is excessive in light of new or additional information subsequently provided to the district court in support of the motion. *State v. Huffman*, 144 Idaho 201, 203, 159 P.3d 838, 840 (2007). Upon review of the record, including the new information submitted with Amparan's Rule 35 motion, we conclude

no abuse of discretion has been shown. Therefore, the district court's order denying Amparan's Rule 35 motion is affirmed.